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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/755,601	01/12/2004	Bruce Johnson	200311317-1	9548

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EXAMINER


HUFFMAN, JULIAN D

ART UNIT	PAPER NUMBER
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2853

DATE MAILED: 12/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/755,601	Applicant(s) JOHNSON ET AL. 	
	Examiner Julian D. Huffman	Art Unit 2853	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 20 October 2005.
- 2a) ☒ This action is FINAL.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5-9, 11-21, 23 and 25-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 12-21, 23 and 25-29 is/are allowed.
- 6) ☒ Claim(s) 1, 2, 5-9 and 11 is/are rejected.
- 7) ☒ Claim(s) 3 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 3 is objected to because of the following informalities:

Claim 3 includes the limitations of "the memory is configured to store a plurality of unique identifiers, with each unique identifier representing a different printer to which the interface has been electrically coupled" and "the memory comprises write once read many memory". It is not clear from the claim or the specification as to how a write once read many memory could store a plurality of unique identifiers, with each unique identifier representing a different printer to which the interface has been electrically coupled.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. Claims 1, 2, 5-9 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Richards et al. (U.S. 6,351,621 B1).

Richards et al. discloses :

With regards to claim 1, a printer component (fig. 2) comprising:

an interface configured for removably electrically coupling to a printer (fig. 2, element 32, column 5, line 56-column 6, line 6); and

a memory (34) that stores a unique identifier of the printer (column 4, lines 62-67) through the interface if the interface is electrically coupled to the printer (memory has an interface to electrically connect memory to printer, column 5, line 56- column 6, line 6);

wherein the memory is configured to store a plurality of unique identifiers, with each unique identifier representing a different printer to which the interface has been electrically coupled (column 4, lines 62-67), and

wherein the memory is configured to communicate with a controller (12) for determining if the printer component has been installed in an unauthorized printer (the memory communicates with controller 12 and is capable of being used to determine if the printer component has been installed in an unauthorized printer) .

With regards to claim 2, the printer component of claim 1, wherein the unique identifier comprises a serial number of the printer (column 4, lines 62-67).

With regards to claim 5, the printer component of claim 1, wherein each unique identifier is stored in a table in the memory (fig 2, element 34, data is stored in a table format).

With regards to claim 6, the printer component of claim 1, wherein the printer component comprises a printer cartridge (column 3, lines 32-36, supply of toner, photoreceptor or fusing device are all printer cartridges since they house specific components in a removable housing).

With regards to claim 7, the printer component of claim 6, wherein the printer cartridge comprises one of an ink reservoir, an ink supply, a toner reservoir, and a toner supply (toner supply).

With regards to claim 8, the printer component of claim 7, wherein the one of the ink reservoir, the ink supply, the toner reservoir, and the toner supply is refillable (column 4, lines 33-35).

With regards to claim 9, a replaceable printer component comprising:

means for electrically coupling to a printer (fig. 2, element 32, column 5, line 56-column 6, line 6);

means (element 34) for storing a first unique identifier of a first printer if the means for electrically coupling to the printer is electrically coupled to the first printer (column 4, lines 63-67); and

means (34) for storing a plurality of unique identifiers, with each unique identifier representing a different printer to which the printer component has been electrically coupled (column 4, lines 62-67) for determining if the printer component has been installed in an unauthorized printer (memory is capable of being used to determine if the printer component has been installed in an unauthorized printer).

With regards to claim 11, the replaceable printer component of claim 10, wherein the means for storing the first unique identifier comprises a first entry in a table and the means for storing the plurality of unique identifiers comprises other entries in the table (column 4, lines 63-67 and fig. 2, element 34).

***Allowable Subject Matter***

4. Claims 12-21, 23 and 25-29 are allowed.

### ***Response to Arguments***

Applicant's argument regarding Croley is persuasive and the rejection is withdrawn.

Applicant's argument regarding claims 12-21, 23 and 25-29 is persuasive.

Applicant's argument that Richards does not disclose the newly added limitations found in claims 1 and 9 is not persuasive. Richards discloses the structure of the memory storing the plurality of unique identifiers, each representing a coupled printer. Further, the claim is to a printer component and the language "for determining if the printer component has been installed in an unauthorized printer" is directed towards the use of the printer component. The language amounts to a recitation of the intended use of the claimed component, which does not result in a structural difference between the claimed invention and the prior art, and thus does not patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim.

### ***Conclusion***

**5. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julian D. Huffman whose telephone number is (571) 272-2147. The examiner can normally be reached on 10:00a.m.-6:30p.m. Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Julian D. Huffman  
20 December 2005

  
K. FEZZINS  
PRIMARY EXAMINER